

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ANTONIO ORTIZ,

Plaintiff,

vs.

WELLPATH, *et al.*,

Defendants.

FILED ELECTRONICALLY

CIV. ACTION NO. 4:22-cv-853

**CONSENT MOTION FOR A STAY OF ALL CURRENT DEADLINES
PENDING THE OUTCOME OF MEDIATION**

Now come, Defendants Dr. Rottman and Wellpath, LLC, by and through their undersigned counsel and the law firm of Weber Gallagher, and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, move for a stay of all current case management deadlines (ECF No. 45), pending the outcome of a mediation, with the consent of all parties, as follows:

1. This is a civil action asserting civil rights claims pertaining to the medical care of Plaintiff, Antonio Ortiz, who is a prisoner of the Pennsylvania Department of Corrections.

2. According to the current case management order, Defendants' expert reports are due by today, November 1, 2023, and supplementations are due by November 15, 2023. (ECF No. 45). Additionally, any dispositive motions are due by January 3, 2024. *Id.*

3. While these deadlines are pending, the parties are currently in the process of scheduling a mediation with a private mediator either in November or December of this year, or as soon as practicable for all parties.

4. Inasmuch as the parties are actively attempting to mediate this case, Defendants Rottman and Wellpath now move for a stay of all pending deadlines set forth by the Court's September 27, 2023, scheduling order, including the production of defendants' expert reports and dispositive motions.

5. This general stay of all deadlines will provide the parties with sufficient time to confer with their clients regarding the pending claims and to properly prepare for mediation, without other deadlines potentially frustrating this effort.

6. The undersigned has conferred with the other parties, who are represented by counsel, and all parties consent to relief sought herein.

7. Accordingly, Defendants Dr. Rottman and Wellpath, with the consent of the other parties in this matter, respectfully request a stay of all pending deadlines set forth by the Court's Order of September 27, 2023 (ECF No. 45), pending the outcome of a mediation.

8. Following the mediation, the parties will submit a joint status report, indicating the outcome of the mediation.

9. Counsel for all parties concur in the relief requested in this Motion, and, as such, it is being submitted unopposed.

WHEREFORE, Defendants Rottman and Wellpath move for a stay of the current case management deadlines generally, pending the outcome of mediation, as set forth in the attached, proposed order.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Benjamin M. Lombard, Esquire, hereby certify that on this date a true and correct copy of the foregoing **CONSENT MOTION FOR A STAY OF ALL CURRENT DEADLINES PENDING THE OUTCOME OF MEDIATION** was sent by CM/ECF Notice Only to all counsel of record:

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Dated: November 1, 2023